Previous references.

1908-9
(Sep: Revs)

File No. 172-08
Serial Nos. 1 – 5

Later references.
B May/13 Sch-385 80218-12
Pol 223-15 (1-2)

(30) P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 5

Part B. for September 1909

SUBJECT.

Directing that ~~police~~ Excise and police Inspectors of lower grades may be appointed to act in the higher grades and allowed to draw acting allowances.

---

(1) From the Comptroller. no. 47386/1453 & 4 2/4-
Reports that in the cases of Excise and police Inspectors, Inspectors of lower grades are appointed to act in the higher grades and are allowed acting allowances contrary to the provisions of ~~this~~ A.T. 76 m&c. and that the difference between 'class' and 'grade' is not properly understood in the case of these Offices.

2) To the Excise Comm^r & Sup. of Police.
G. R. S. 58 no. 71654 & 8.4.09
Forwards the comptroller's letter for an early expression of opinion

3/ States that for purposes of Art 76 M.S.R. the Excise Inspector on different salaries should be considered as belonging to different classes and not to different grades of the same class.

4/ From the I.G. of Police. No. 7174/6588 dt 18/6/09
Recommends that the Police Inspectors may be exempted from the operation of Art. 76 M.S.R.

5/ To the Controller, Excise Commr & I.G. of Police
No. 7E/1208—10 dt 20.9.09

Directing that under the circumstances represented by the Inspector-General of Police and the Excise Commissioner the Excise and Police Inspectors on different rates of pay be deemed to belong to different "classes" as defined in Article 12 of the Mysore Service Regulations and that the system of giving acting promotions from class to class be continued as at present.

C. 50
31. 7. 09.

G.R.S. 11] 1908.

GENERAL AND REVENUE SECRETARIAT

(872)

NOTES.

File. No. 172-08

FILE HEADING.

Division of the Excise Inspectors into grades & classes.

From The Comptroller

No. 4386/1453 Dated 4/12/08 Received 5/12/08

Diary No. 2723	Enclos. -	Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Reports that in the case of Excise & Police Inspectors of lower grades are appointed to act in the higher grades & are allowed acting allowance, contrary to the provisions of Art. 76 of the Rs. R and that the difference between "class" & "grade" is not understood in the case of these officers. Requests definite instructions in the matter.

NOTES AND ORDERS.

So far as the Excise Inspectors are concerned the view of the Comptr. is correct. It is certainly a mistake to appoint an Inspector on a lower

NOTES—First sheet.

GPB—30,000—20-3-06.

Serial No.

pay to be fixed for accretion on a higher pay & give the former the acting allowance. But there seems no objection to give temporary promotion & see Inspector where there is temporary vacancy in the next higher grade & where the full pay of the vacant appointment is available. In the case of the appointment sanctioned by Govt. in their order of the 21st. March 1908 however the full pay of the appointment was not available at the time of Govt. sanction. The leave granted to Inspector Chakravarty was subsequently converted into leave without allowances as he did not utilise the full period of 6 months [This is only an information informally obtained] Hence there was no violation of the rules in this case.

2. The Comptroller may be informed that the view he has taken is correct & he may be requested to issue necessary

Note—Contn. sheet.

GPB—50.000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

S/H File No. 172 of 1908

Serial No.

Instructions in the matter of Appeal of Police Inspectors

The file may be referred to Pt III for note & submitted

Date
Boat

9.2.09

Article 12 of the Mysore Service Regulations defines "Class" and "Grade" Article 76 lays down that no officer (except a Forest Ranger Forester and Forest Guard) shall be allowed to "act" in a higher "Grade" of his own "class"

5 From G.O. ~~No. 1437~~ No. H 1437-8 dated 30th Nov 1903, it will be seen that Excise Inspectors are divided into two classes viz "Head Inspector" and "Inspectors" Among the latter themselves no acting appointments can be made, as they all belong to the same class. The Comptroller may be informed accordingly.

But please see Excise Commr's letter 25 June 09 (Separated disposal) para 2.

21/6/09

20.2.09 S/H

6 Send the file to Pt III to put up the necessary returns in regard to Police Inspectors. Pt II will then be consulted

20.2.09 S/H

7 Subd. In the G.O. revising the

NOTE—Contn. sheet.

GPB—50.000—18-5-08

(4)

G. R. S. 12]
General and Revenue Secretariat.

S.R. File No. 172 of 1908-09

Serial No.	
78	Scale of Police Inspectors distinction seems to have been made between "class" and "grade". Police file no. 3070-08 in which the question of acting promotions from grade to grade was discussed at some length to put up for reference. Such acting promotions among Police Inspectors have however been permitted from time to time.
	B.G. 24-2-09 The note in File 30 of 07-08 explains the case of Police Inspectors fully.
	25/2/09 There are two "classes" among Police Inspectors viz. "Chief Inspectors" and "Inspectors". (vide G.O. No 7H 5004-13 dated 10th Feb. 06). Among the latter there could only be "temporary promotions" but not "acting arrangements".
	1st March 09 Submitted for orders.
	Consult Police 3rd March 09
	2/3/09
	3/3
	S.R.O.
	Asst Secy Fin

Police files
1187-04 no 1-5-2
3070-07 no 1-7
taken back.
B.G.
4.9.09.

Note—Contn. sheet.

GPB—50,000—13.5.08

4/3

Serial No. 10

From the above notes it will be seen that the Administrative Branch holds that there are only two classes of Excise Inspectors - Head Inspectors & Inspectors and of Police Inspectors - Chief Inspectors and Inspectors and that acting promotions from one grade to another of Excise and Police Inspectors is not admissible. A different view of the matter in respect of Police Inspectors has been taken once before - please see my Babasundaram Iyer's note of 23.9.7. What the Complr wants to know is the intention of Govt as to whether the Excise & Police Inspectors on the General rates of pay shd be treated as Officers of different Classes or as Officers in different grades of the same class. The technical distinction betn grade & Classes drawn in articles 12 & 76 M.S.R. does not seem to have been kept in view when the Excise & Police Inspectors were divided into Classes & grades and the matter now requires Consideration

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

from that point of view.

11 If there is no difference — whether in point of change in the nature of work or of extent of responsibility — tho' the nature of work may be the same, — in the duties of Excise & Police Inspectors on different rates of pay, there may be no harm in viewing the different rates as the pay of different grades of the same class and not allowing acting promotions from one grade to another. If on the other hand, there is difference in any respect, it seems fair to allow acting promotion in consideration of the new work requires of an officer or of the greater responsibility devolved on him. Possibly officers on higher rates of pay are entrusted with more responsible work and when those on lower pay are asked temporarily to do the work of the former it is but fair to give them some additional remuneration in the form of an acting allce. This aspect of the matter requires

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

Conservation in the Administrative Dept.

Mr 8/3/09

Fin Sec)

12 The view of A above should be communicated to the Comptr with instructions to apply the rules strictly.

8/3/09.

Ruled for orders

To the Executive Committee

To General Secretary 8/3/09

12-3-09.

8/3/09.

13 I would invite reference to my note (Flags) in File Police 30 of 07-08.

14 In art 76 of M.S. Regns Forest Range & Forest executive subordinates are specially exempted from the operation of the Rule, & a reference to art 140 of the Civil Service Regns (which corresponds to Sec 76 M&R) shows that munsiffs & Tasildars in Mad are also exempt from the operation of the rule. So also munsiffs & ~~Tasildars~~ amildars in Mysore acting are also eligible for such promotion from grade to grade.

GPB—50.000—135-08

G. R. S. 12]
General and Revenue Secretariat.

File No. 172 of 1908

(8)

Serial No.

15 Excise & Police Inspectors have responsible work to do just as much as Forest Rangers & do not see why the ~~lat~~ former should not be entitled to the same treatment as the latter. Promotions depend on vacancies & not on any efflux of time, & several of the lower grades are very poorly paid. If acting promotions are denied it will be seriously felt by the officials concerned -

1887
2nd

C.S.
13/3/09

10147
15/3/09

[Pros & Cons are fairly balanced. That it seems difficult to decide.] 17/3/09

16 A copy of the Comptroller's letter may be communicated to Excise Cr & I.G. Police for an early expression of their opinion as to the

27/3/09

Put up drafts ahead 27/3/09

Drafts read

26/3/09

Issue

31.3.09.

27/3

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Serial No.

No. H-6520 dtd. 8-4-08.

2 Do. the Surgeon-Gen. of Police forwards the Sanitary Officer's letter for an early supervision of the Excise Arrangements.

3 From the Excise Commr. No. 1088/8 dtd. 9-6-08.
States that for purposes of Art. 76, M.S. Regn. the Excise Regn. on different Salaries should be Considered as belonging to different classes and not to different grades of the Same cl

17 The receipt of the Dy. Commr. of Cole is not yet received. A Demi-official is sent each month.
Date of the letter from the Dy. Commr. of Cole 4/6/08
Date of receipt 5/6/08

4 From the Dy. Commr. of Colaba No. 1174/653 dtd. 15/6/08.
Recommends that the Medical Officers may be exempted from the operation of Art. 76 of the M.S. Regns.
Submitted for orders with ref

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

The Ld. Councellor (Now Dewan) orders on pages 8 & 9 thereof

Vide Q & O

Q. Whether both the Excise Commr. and the Dy. of Police are performing the Concession to Excise and Police Inspectors respectively

21/6/09. SM

(Sd)

(1st Councellor)

In the Q. O of 15th Feb 09 Police Inspectors are divided into classes. This was done advised, as even before this the Police Inspectors were divided into 4 Classes besides Excise & Special Grade as City Inspectors, Head Quarters Inspr., Office Inspr. &c. All these were merged and a common designation given to them under different

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Serial No.

Classes. The Inspectors have all along enjoyed this privilege and it is feared will cause much discontent. The Asstt Secretary Branch II has given good reasons for the present practice vide para 11 - page 6 of the Office note. Promotions acting as Subprotem sometimes last a long time & it would be a distinct hardship to the Police Service generally if they are abolished altogether.

21 The same arguments apply in the case of Excise Inspectors.

22 I agree with the Inspector General of Police & Excise Commissioner that the division of Inspectors into Classes should be recognized & acting promotions allowed.

14/24 2-7-09

Submitted to Dewan as being a question involving a general rule.

30/6/09

NOTE—Contn. sheet.

GPB—50.000—13-5-08

30/6

G. R. S. 12]
General and Revenue Secretariat.

(12)

SM File No. 172 of 1908

Serial No.	
	Ordered by Dewan to be circulated to Secretaries for consideration & brought up at a meeting of Council
(422)	Seen 29/7/09
	To be discussed in Legislative Council

24-7-09
26/7/09
SL
27/7/09

30-7-09
SL
31/7/09

NOTE—Contin. sheet.

GPB—50.000—13-5-08

2115/21-8-09 Sh 172-08 (62) 13

Extract from the Proceedings of the 236th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 16th August 1909.

VI. Subject.-(Clause viii of Schedule).

Whether Police and Excise Inspectors of lower grades may be appointed to act in the higher grades and allowed acting allowances.

OPINION.

The division of Inspectors in the Police and Excise Departments into "classes" may be formally recognized for the purpose of the Mysore Service Regulations, and the system of giving acting promotions from class to class continued as at present

Sd/- T. Ananda Row.
Dewan of Mysore.

"Extract"

Secretary to Government.

GPE—300—29-4-09.

SR 172-08

Submitted to His Highness.

B

The Comptroller enquires whether Excise and Police Inspectors of lower grades appointed to act in the higher grades can be allowed acting allowances.

Papers under disposal

Both the Excise Commissioner and the Inspector General of Police deprecate any change. The subject was considered in Council and their recommendation in the accompanying Council Resolution may be approved as it formally recognizes what is now in practice.

T. Muralidhara Rao
Secretary

S/4-172-08 (12)

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Whether Police and Excise Inspectors of lower grades may be appointed to act in the higher grades and allowed acting allowances.

141

408
31.8.09

Order.

Approved
~~KRW~~
26/8/09

Secy
Stlo
28 Aug 09

Please show to Fl Secy for infor, & ret to submit dup-k
[illegible] 1-Sep 09

G. R. S. 12]
General and Revenue Secretariat.

File No. 172 of 1908

(46)

Serial No.

Dr Hall Ordered
Secy
4/9/09
mr 4/9

4/9/09

Secy

Dr Hall
4/9/09

Secy

14/9/09

5

To the Comptroller
" Excise com✓
" Dy of Police
no 7L 1708-10 D, 20-9-09
ords that Excise & Police Inspectors on different rates of pay be deemed to belong to different 'classes' as defined in art 12 TSR & that the system giving acting promotions for class to class be continued as at present

NOTE—Contn. sheet.

GPB—50,000—13-5 08

42723 SR

172-08 (1)

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted.

No. 4386

OFFICE OF THE COMPTROLLER, MYSORE GOVERNMENT,

Dated Bangalore, the 4 February 1909.

FROM

J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S., etc,.
Comptroller to the Govt. of
His Highness the Maharaja of Mysore.

To

K.S....Chandrasekhara..Iyer.,.....Esq., B.A., B.L.,
Secretary to the Government of Mysore,
General...and..Revenue...*Departments.*

SIR,

It has been observed in the course of the audit of the bills of executive staff of the Excise and Police Departments that the provisions of Article 76 of Mysore Service Regulations under which no officer may be appointed to officiate in a higher grade of his own class are not being applied to these men, though ther does not appear to be any general order of Government exempting them from the operation of the rule or treating them as an excep-tion thereto. The pay of Excise Inspectors ranges from Rs.40 to Rs. 150/- in accordance with the scale fixed in Government Order No. Fl.1437-8/Ex.F.1-97-98 dated 30th November 1903. They all bear the same designation except the Head Inspector who draws Rs. 150/-. There can therefore be only two classes of Inspectors viz., the Head Inspectors and Inspectors, the latter who draw different rates of pay being treated as different grades of In-spectors for the purpose of the Regulations (vide Article 12). An Inspector drawing a lower rate of pay cannot therefore act for one drawing a higher rate. But acting allowances in such ..

cases have been claimed and are being admitted by this office, and I find that Government have, in individual cases, been also sanctioning these allowances in the case of these Inspectors(For an instance please see Government Order No Fl.2396-7/S.R. 2-C8-2 dated 21st November 1908 issued recently). It is only in the case of ministerial officers that acting promotions are permissible though they bear the same designation as there are no .. classes or grades of such officers and the extension of the rule applicable to them to officers whose duties are of an executive character is, in the absence of special orders of Government, open to objection. In these circumstances I have the honour to request that a definite ruling may be laid down for the guidance of my office in future.

Though the case of Police Inspectors is exactly simil: to that of Excise Inspectors, I, however, observe that in Government Order No. Fl. 5004-13/Pol.118-04 dated 10th February 1906 revising the scale of Police Inspectors, the Inspectors are mentioned as belonging to different classes numbering altogether 8. But from a perusal of the Government Order, it does not appear that the distinction between class and grade as defined in ... Article 12 of the Mysore Service Regulations was contemplated. From the nature of the appointments themselves, it is evident that Police Inspectors cannot form 8 classes but only 2 viz., Chief Inspectors and Inspectors, and that Inspectors drawing different rates of pay can only be regarded as those of different grades in the same class. I therefore beg to be informed i it was the intention of Government in dividing the Police Inspectors into classes to treat them as belonging to different classes for the purpose of the Regulations.

I have the honour to be,

Sir,

Your most obedient servant,

J.S. Chakravarti

Comptroller

I.R.S. 26] 3

172
File No. 68
Serial No 2

Diary No. of letter replied to 2723

No. H 6540-1
8-4-09

General and Rev. Secretariat
(SM)
, *the* 190 .

To Hare enclen Conflerole
Cellen no 4386-453. dy
4/2/09.

Date of issue 8 April 09

Signed by [illegible]

Cafer forwarded to
the Cesc Conf and
the Resident Gulf of
Polece for favor of
ace early expression of
theen opinion

Pto
Secretary
for
Secretary

SUBJECT

28/Mar
29/3

Ex.
SM

D. 4.5.36.

Enc 267

4

Excise Commissioner's Office,

No. 10881

Dated, Bangalore, 5th June 1909.

S.R 172-08

Enc (3)

From

H. H. Sparkes, Esquire,
Excise Commissioner
in Mysore.

To

K. S. Chandrasekhara Aiyar, Esq., B.A., B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Depts.

Sir,

Adverting to your endorsement No. Fl.6540-1/S.R.172--08-2, dated 8th April 1909, regarding the question of Excise Inspectors on different salaries as belonging to different -- classes or grades of the same class, I have the honor to state that Excise Inspectors on different salaries should be consi--dered for purposes of Article 76 of the Mysore Service Regula--tions as belonging to different class and not to different -

2. I may also point out that the term " Head Inspector " is used only in the order of the 30th November 1903 and does ~~n~~ not appear again anywhere else. This term was not used in -- reference to any class but in contradistinction to other Inspec--tors working in the Distillery which always has more than one Inspector. The terms senior Inspector and junior Inspector

190 -0 .

FROM

The Inspector-General of Police in Mysore.

TO

The Secretary to the Govt. of H. H. the Maharaja of Mysore, Gen. & Rev. Depts.

Dated

Despatched 15 June 08

Received

General No.

No. 7174/655

Enclosure No.

Recommending that the Inspectors may be exempted from the operation of article 76 of M.S. Regulation

7

No. 7174/655

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

Dated Bangalore, 15th June 1909.

FROM

D. Devaraj Urs Esquire,
Inspector-General of Police in Mysore.

To

K. S. Chandrasekhara Iyer Esquire, B.A., B.L.,
Secretary to the Government of H. H. the Maharaja of Mysore,
General and Revenue Department.

SIR,

With reference to your memo No.Fl.6540-1/S.R.172-08-2 dated 8th April 1909 forwarding for opinion copy of Comptroller's letter No.4386/1453 dated 4th February 1909 observing that the provisions of article 76 of the Mysore Service Regulations under which no officer may be appointed to officiate in a higher grade of his own class are not being applied to the Executive staff of the Excise and Police Department though there does not appear to be any general order of Government exempting them from the operation of the rule or treating them as an exception thereto, I have the honor to state as follows:-

2. The Comptroller observes that in Government order No.Fl.5004-13/Police-118-04 dated 10th February 1906 revising the scale of Police Inspectors, the Inspectors are mentioned as belonging to different classes numbering altogether 8 and that it is evident that Police Inspectors cannot form 8 classes but only 2 viz Chief Inspectors and Inspectors and that Inspectors drawing different rates of pay can only be regarded as those of different grades in the same class.

In

G.R.S. 28]

File No. 88

Serial No. 5

Diary No. of letter replied to 4695

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(S.R.)

190

Date of issue 20 Septr 09

Signed by

READ— Letter No 4386/453, dt 4/Nov from the Commissioner in Mysore reporting that in the Excise & Police Depts Inspectors of lower grades are appointed to act in the higher grades and are allowed acting allowances contrary to the provisions of Art. 76 of the M.S. Regns and that the difference between "class" and "grade" is not properly understood in the case of these officers

ORDER THEREON—NO.

SUBJECT

GPR—10,000—10.4.06

and requesting definite
instructions in the matter

2) Letter no. 10881 dt 5/6/09
from the Excise Comr in Mysore
stating with reference
to memo no 7(6540 dt 8/4/09
that there are no different
"grades" of Excise Inspectors
in the same class and that
the Inspectors on different
rates of pay should be considered
as belonging to different
classes" for purposes of
art 76 of the M.S. Regns.
~~and that~~

3) Letter no 7174 dt 15/6/09
from the Dy. of Police making similar observat
~~to the same effect~~ in regard to Police Inspectors
and
adding ~~at the same time~~
that ~~the~~ cases often frequently
occur in the higher
classes of Inspectors ~~and~~
for long periods and
that it will be ~~more~~ a great hardship
~~to~~ if

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

of the lower classes
~~to lead out to those~~ are not denied
acting promotions
on such clearing
~~Considering the undesirability of the Police being~~
~~in the Police being~~

No. R 1708-10
Dy. 20-9-09

Order thereon No.

In ~~view~~ the circumstances represented by the Excise Commr & the Dy. Commr of Police, Govt are pleased to direct that

~~The~~ Excise & Police Inspectors on different rates of pay, ~~will be~~ deemed ~~Considered~~ ~~not required~~ to belong to different classes, "classes" as defined in Art 12 of the M-S-R. ~~"Grades"~~ that and the system of ~~Granting~~ giving acting promotions from class to class be continued as at

Present

His orders

Sec'y

The Comptroller

The Treas. Comr

The D.G. of Police

Copy to Mr Ilk

Sec
4/9/06

4/9